IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25803 of 2008
CHANDRABHUSHAN RAI & ORS.
Versus
STATE OF BIHAR

For the petitioners : Mr. P.K. Rai, Adv.
For the State : Mr. A. Sharma, A.P.P.
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2. 26/9/2008 Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners are apprehending their arrest in a case under Section 392 of the Indian Penal Code.

Learned counsel for the petitioners submits that the parties are close agnates. Further contention is that there is land dispute between the parties and title suits bearing Nos. 53 of 1987 and 330 of 2002 are pending before the court of Munsif-VIII as well as the court of learned Sub-Judge, Ara. Earlier, the Complainant has also filed Complaint Case No. 1077 of 2004 which is pending in the court of Sri Gopaljee, Judicial Magistrate, Sasaram. Apart from that, another Complaint Case No. 788C of 2002 has also been filed by the Complainant which is pending in the court of Sri B.K. Mishra, Judicial Magistrate. In all those Complaint Cases petitioners have been made accused along with other co-accused persons.

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Learned counsel for the petitioners files certified copy of the order dated 18.6.2008 passed in Cr. Misc. Case No. 23123 of 2008 whereby one of the co-accused persons namely Braj Mohan Rai has been granted anticipatory bail by a Bench

of this Court. Let the said certified copy of the order be kept on the record.

Having considered the facts and circumstances of the case, let three petitioners namely, Chandrabhushan Rai, Deepak Rai and Chhotan Rai @ Noga, in the event of their arrest or surrender in the court below within four weeks from the date of receipt of this order, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Ramchandra Prasad, Judicial Magistrate, Bikramganj, Rohtas at Sasaram, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.

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S.Ali **(Dr. Ravi Ranjan, J.)**